



## CITY OF DURHAM | NORTH CAROLINA

**Date:** July 21, 2015

**To:** Thomas J. Bonfield, City Manager  
**Through:** Keith Chadwell, Deputy City Manager  
**From:** Mark Ahrendsen, Director of Transportation  
**Subject:** Grant Agreement for Sidewalk and Bike Lane Construction on Morreene Road (TIP # C-4928)

### Executive Summary

The City of Durham has received federal funds through the Durham-Chapel Hill-Carrboro MPO to construct sidewalks and bike lanes on Morreene Road between Neal Road and Erwin Road. It is estimated that a total of \$6,317,000 is needed. The federal funding amount is \$4,899,000, which requires a 20 percent local match of \$1,224,750 from the City. An additional \$193,250 in City funding is needed for construction administration, inspections, testing, and right-of-way acquisition. The Public Works Department will oversee the design and construction. To utilize these funds, the City Council must approve a CIP Ordinance Amendment and a resolution accepting the funds and authorizing the City Manager to execute a grant agreement with the North Carolina Department of Transportation (NCDOT).

### Recommendation

It is recommended that the City Council adopt an ordinance amending the General Capital Improvement Project Ordinance, Fiscal Year 2015-16, as amended, the same being Ordinance # 14778, for the purpose of receiving the federal funds. Please note that the funds for the Morreene Road project are included in the CIP Ordinance Amendment (Attachment A) for the Carpenter-Fletcher Road project (# 10624) that is part of this same City Council agenda cycle.

It is further recommended that the City Council adopt a resolution authorizing the City Manager to execute a grant agreement with NCDOT. City Council's approval of the resolution and CIP Ordinance Amendment does not authorize construction. Contract awards for construction will occur through subsequent action by the City Council.

### Background

The need for sidewalks and bike lanes on Morreene Road between Neal Road and Erwin Road was identified in the 2006 DurhamWalks! Pedestrian Plan and Comprehensive Bicycle Transportation Plan. The Morreene Road project was ranked number 57 in priority out of more than 200 ranked corridors in the DurhamWalks! Pedestrian Plan and number 9 out of more than 200 ranked corridors in the Comprehensive Bicycle Transportation Plan. While there is some existing sidewalk along Morreene Road, the project will add additional segments of sidewalk to close gaps, increase connectivity to bus stops and neighborhoods, and bring the sidewalk up to current accessibility standards.

Funding for the project is from Surface Transportation Program – Direct Attributable (STP-DA) and Congestion Mitigation and Air Quality (CMAQ) funds approved by the Durham-Chapel Hill-Carrboro Metropolitan Planning Organization (DCHC MPO).

The Public Works Department estimates that right-of-way acquisition for the project will begin by October 1, 2017 and the project will be let for construction by June 30, 2019. It is anticipated that construction will be completed by June 30, 2020.

Please note that Section 10 of the agreement requires the City to be solely responsible for any damages that might arise from the existence of hazardous or contaminated materials in the right of way, and also requires that the City will hold NCDOT harmless from legal actions relating to damage caused by the existence of such materials. The City has asked NCDOT to consider alternative language for this section of the agreement. If NCDOT agrees to the alternative language, it will be incorporated into the final agreement to be signed by the City Manager.

### **Alternatives**

The Durham City Council could decide to:

- Approve the recommended resolution and CIP Ordinance Amendment; or,
- Send the item back to staff for further review; or,
- Not approve the resolutions and CIP Ordinance Amendment.

### **Financial Impacts**

The federal CMAQ and STP-DA funds require a local match of \$1,224,750. An additional \$193,250 is needed for construction administration, inspections, testing, and right-of-way acquisition (to cover expenses that NCDOT will not reimburse), which increases the total local funding for the project to \$1,418,000. Funds are available in the Federal-State Match CIP fund. The administration of the project will require a commitment of staff resources.

### **SDBE Summary**

The municipal agreements with NCDOT require that their procedures be followed for these projects. The Department of Equal Opportunity/Equity Assurance did not review this item for compliance with the Ordinance to Promote Equal Business Opportunities in City Contracting.

### **Attachments:**

Attachment A – CIP Ordinance Amendment

Attachment B – Grant Resolution

Attachment C – NCDOT Grant Agreement for Project C-4928

Attachment D – Vicinity Map

cc: Marvin Williams, Director of Public Works